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10 Attorneys for Defendant
11 Shasta Technologies, LLC

12 **UNITED STATES DISTRICT COURT**

13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 PHARMATECH SOLUTIONS, INC.,

15 **CASE NO. 5:14 cv 03682 BLF**

16 Plaintiff,

17 **MOTION TO CONTINUE CASE
18 MANAGEMENT CONFERENCE**

19 SHASTA TECHNOLOGIES, LLC

20 Complaint Filed: Aug. 14, 2014
21 Current CMC: Jan. 22, 2015 at 1:30 p.m.
22 [Proposed] CMC: Feb. 19, 2015 at 1:30 p.m.

23 Defendant.

24 Hon. Beth Labson Freeman

1 Pursuant to Civil Local Rule 16-2(d), Defendant Shasta Technologies, LLC (“Shasta”)
 2 respectfully moves this Court for relief from the current case management schedule.

3 On August 14, 2014, plaintiff Pharmatech Solutions, Inc. (“Pharmatech”) initiated the
 4 above-captioned action (the “Action”) by filing an original complaint. The Action was initially
 5 assigned to Magistrate Judge Howard R. Lloyd. On December 15, 2014, the parties separately
 6 filed this Court’s ADR Certification form.

7 On December 17, 2014, the Action was reassigned to this Courtroom. The next day this
 8 Courtroom’s clerk issued a case management order, setting a case management conference for
 9 January 22, 2015 at 1:30 p.m and instructing the parties to file a case management statement by
 10 January 15, 2015.

11 Lead counsel for Shasta has a long-planned family vacation scheduled for January 20
 12 through January 27, 2015 that conflicts with the currently-scheduled case management
 13 conference. (Affidavit of David C. Fortney (“Fortney Decl.”) ¶ 2, attached hereto.) Therefore,
 14 Shasta seeks relief from the case management schedule.

15 Prior to filing this motion, Shasta conferred with Pharmatech regarding Shasta’s
 16 counsel’s scheduling conflict and alternative dates for the case management conference.
 17 (Fortney Decl. ¶ 3.) With Pharmatech’s support, Shasta hereby respectfully requests that the
 18 case management conference currently set for January 22, 2015 at 1:30 p.m. be continued to
 19 February 19, 2015 at 1:30 p.m., and the parties instructed to file case management statements by
 20 February 12, 2015, as reflected in the [Proposed] Revised Case Management Schedule filed
 21 herewith. In the event that the Court is unavailable on February 19, 2015, counsel have
 22 conferred and are unavailable only on February 11, 12 and 18, with any other dates available for
 23 a case management conference.

24 Dated: January 8, 2014

OGLOZA FORTNEY LLP

25
 26 /s/ David C. Fortney
 27 David C. Fortney

28 Attorneys for Defendant
 Shasta Technologies, LLC

DECLARATION OF DAVID C. FORTNEY

I, David C. Fortney, declare as follows:

1. I am an attorney licensed to practice law in the state of California and admitted to practice before this court. I am a partner in the firm of Ogleza Fortney LLP, counsel for defendant Shasta Technologies, LLC (“Shasta”). I am familiar with the facts stated herein. I could and would testify competently thereto if called upon to do so.

7 2. I am planning to go to Colorado on vacation with my family and family friends from
8 January 20 to January 27, 2015. My family and I planned this vacation over six months ago. I
9 cannot now reschedule the vacation without substantial personal and financial sacrifice. For
10 instance, we have non-refundable plane tickets, and would also lose the ability to re-book our
11 vacation house, which we are sharing with friends and which was reserved through bidding at a
12 charity auction.

13 3. I have discussed my scheduling conflict with lead counsel for plaintiff Pharmatech
14 Solutions, LLC, Eric Troff, who graciously agreed to support Shasta's request to continue the
15 case management conference to any date in February other than February 11 and 18. I have
16 another conflict on February 12. I have suggested February 19 as the date for the continued
17 CMC based in part on a desire to have the parties' joint case management statement and initial
18 disclosures due after I return from vacation.

19 I declare under penalty of perjury that the foregoing is true and correct, and that this
20 declaration was executed on January 8, 2015, at San Francisco, California.

David C. Fortney